

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

Applicants first hereby affirm the telephonic provisional election of Group I, claims 1-6 and 8-14, made with traverse on December 11, 2008, in response to the restriction requirement imposed on the same date. Applicants note that the Office Action (page 3, first full paragraph) contains an inaccuracy regarding the aforementioned election. Contrary to the Office Action, Group II, claim 7, was not elected; Group I, claims 1-6 and 8-14, was elected.

Turning to the Amendment, the written description portion of the specification, claims 1, 2, 4-6, 9, 11, 13, and 14, and the abstract of the disclosure have been amended. Claims 3, 8, 10, and 12 have been canceled without prejudice or disclaimer. Claims 1, 2, 4-7, 9, 11, 13, and 14 are now pending in the application, with claim 7 withdrawn from consideration as being directed to a non-elected invention. Claims 1 and 7 are independent. The objections and rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

The specification has been editorially amended for conformance with 37 CFR § 1.77(c), for consistency, and to correct any informalities. The abstract has been editorially amended for

conformance with 37 CFR § 1.72(b). The claims have been amended to overcome the rejection under 35 U.S.C. § 112, second paragraph, and in general to more fully comply with U.S. practice.

Claim 1 has also been amended to incorporate subject matter previously presented in now-canceled claim 3. Instant claim 1 defines a process in which "the measured values or the information derived from the measured values originat[es] only from measuring cycles that were recorded in another extrusion process in which the deviations in the film thickness from the target value lay within an acceptable tolerance range." Entry of each of the amendments is respectfully requested.

The ground of rejection associated with the "weighting factors" in the rejection under § 112, second paragraph, of now-pending claims 4, 5, and 9 is, in part, respectfully traversed. As indicated above, claims 4, 5, and 9 have been amended. In view of the description of the weighting factor feature at specification page 5/8, first paragraph, Applicants submit that instant claims 4, 5, and 9 are sufficiently definite. Reconsideration of the aforementioned ground of rejection is respectfully requested.

35 U.S.C. § 103(a)

Claims 1-6 and 8-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' "admitted prior art" in view of European Patent No. 0 329 157 B1 to Akasaka.

The rejection of claims 1-6 and 8-14 under § 103(a) is respectfully deemed to be obviated. For at least the following reasons, the combined disclosures of Applicants' background information and Akasaka would not have rendered obvious Applicants' claimed invention.

As indicated above, instant claim 1 defines a process in which "the measured values or the information derived from the measured values originat[es] only from measuring cycles that were recorded in another extrusion process *in which the deviations in the film thickness from the target value lay within an acceptable tolerance range.*" As explained at specification page 4/8, last paragraph, this process feature is advantageous, because "[i]n this manner the control unit can control the device for controlling the film thickness even at the start of the extrusion process in such a way that the thickness profile of the film exhibits the ideal path in the fastest way possible."

The combined disclosures of Applicants' background information and Akasaka fail to meet each feature of Applicants' presently claimed invention. The process that results from using Akasaka's controller is different from Applicants' presently claimed process. Akasaka discloses a film thickness controller for an extrusion molding apparatus and a corresponding sheet manufacturing apparatus (page 2, lines 1-2). Akasaka discloses a thickness gauge which is able to detect the thickness of the film at a position downstream of the flowing film (page 4, lines 37-42).

A difference between the detected actual thickness values and a set thickness value is calculated by a control device (page 5, lines 6-11). The thickness gauge has a memory device (page 5, lines 12-13) for storing film data that are measured over the entire width of the film (page 5, line 2). Using *the actual and the stored values*, the control device generates control commands for the heaters of the film die to control the temperature of the molten plastic and with it the film thickness.

Applicants' claimed process automatically controls the thickness of an extruded film (specification page 1, first paragraph). The process includes measuring the thickness values of the extruded film, providing statistical values of the film thickness taking into account measured values or information derived therefrom using a definite number of measuring cycles, and generating control commands to a device for controlling the film thickness (specification page 1, first paragraph).

Applicants' claimed process includes recording the measured values or information derived therefrom from other (i.e., previous) extrusion processes (specification page 4, fourth paragraph). During the start of a new extrusion process, a storage unit provides a computer with *only* these previously measured values or information derived therefrom, which were recorded when the deviation in the film thickness from the target value lay within acceptable tolerances (specification page 4, last paragraph).

Akasaka's thickness controller takes recorded thickness values into account, but these values are utilized only together with actual thickness values. Akasaka does not control the thickness of the extruded film by taking *only* values into account that were measured during a previous extrusion *in which the deviations in the film thickness from the target value lay within an acceptable tolerance range.*

Because of the aforementioned differences, there is simply no teaching in the asserted combination of disclosures that would have led one to modify the references in a way that would result in the embodiment of the invention defined by Applicants' instant claim 1.

Now pending claims 2, 4-6, 9, 11, 13, and 14 are allowable because they depend, either directly or indirectly from claim 1, and for the subject matter recited therein.


In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an

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interview might expedite prosecution, the examiner is invited to
contact the undersigned.

Respectfully submitted,

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